

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

FILED

FEB 29 2016

**SECRETARY, BOARD OF
OIL, GAS & MINING**

<p>In the Matter of the Petition by the Division of Oil, Gas and Mining for an Order:</p> <p>(1) Authorizing the Division to use the funds to complete plugging and reclamation of the State 2-23 and State 2-43x wells and the lands affected by the wells;</p> <p>(2) Authorizing the Division to take other action necessary to recover from GENESIS PETROLEUM US INC. any and all costs associated with the plugging and reclamation of the State 2-23 and State 2-43x wells; and</p> <p>(3) Authorizing any other action the Board deems reasonable and appropriate.</p>	<p style="text-align: center;">ORDER DISMISSING THE BANK OF THE WEST WITH PREJUDICE</p> <p style="text-align: center;">Docket No.: 264-04 Cause No.: 2014-030</p>
---	--

The Utah Division of Oil, Gas and Mining (“**Division**”) filed its Notice of Agency Action (NOAA) in this matter setting forth claims against the Bank of the West (“**Bank**”) regarding certificate of deposit accounts #003525857 and #003525790 (“Subject Accounts”) which were provided as surety for the plugging and restoration of the State 2-23 and State 2-43x wells (“Subject Wells”). The Division and the Bank executed and filed with the Board a Stipulation For Dismissal and Release, and Assignment of Claims on October 31, 2014 (“**Stipulation**”) which was executed with the intent that it would fully resolve all claims and disputes between the Division and the Bank relating to the Subject Accounts and the Subject Wells.

The Board has received written notice from the parties to the Stipulation (as attached and filed herewith) that the work of plugging and restoration of the Subject Wells as contemplated in paragraph 1 of the Stipulation has been completed, and in accordance therewith the Parties have


requested entry of an Order releasing all claims by the Division against the Bank as described below and dismissing all claims against the Bank with prejudice

Now, Therefore, for good cause appearing the Board Orders as follows:

1. All claims, requests for relief, and orders sought by the Division against the Bank in this matter are dismissed with prejudice; and

2. The Bank and its past and present parent companies, subsidiaries, affiliates, officers, directors, employees, agents, representatives, predecessors, successors, assigns and all of them, are released from any and all liabilities, obligations, actions, claims, sureties, or costs of any kind, known or unknown, asserted or unasserted, past or future, in any way related to the Subject Wells, the Subject Accounts, the Division's NOAA filed July 7, 2014, the Division's Amended NOAA filed October 29, 2014, or the abandoning, plugging or restoration of the Subject Wells. The dismissal and release in this Order are conditional upon the Bank making the payment to the Division as contemplated under paragraph 2 of the Stipulation.

Dated this 29th day of February, 2016.


Rutland J. Gill JR., Chair
Utah Board of Oil, Gas and Mining.

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

FILED

FEB 25 2016

SECRETARY, BOARD OF
OIL, GAS & MINING

In the Matter of the Petition by the Division of
Oil, Gas and Mining for an Order:

- (1) Authorizing the Division to use the funds to complete plugging and reclamation of the State 2-23 and State 2-43x wells and the lands affected by the wells;
- (2) Authorizing the Division to take other action necessary to recover from GENESIS PETROLEUM US INC. any and all costs associated with the plugging and reclamation of the State 2-23 and State 2-43x wells; and
- (3) Authorizing any other action the Board deems reasonable and appropriate.

**Notice of Compliance with
Stipulation for Dismissal of
Claims
and
Motion to Dismiss with
Prejudice**

Docket No.: 264-04
Cause No.: 2014-030

The Utah Division of Oil, Gas and Mining ("Division") and the Bank of the West ("Bank") by this notice advise the Utah Board of Oil, Gas and Mining, ("Board") that the work of plugging and restoration of the Subject Wells as contemplated in paragraph 1 of the parties' Stipulation for Dismissal and Release, and Assignment of Claims has been completed, and therefore the parties hereby move the Board for entry of an Order of Dismissal in accordance with the proposed Order attached to the Stipulation.

Bank of the West

By Marty Bank
Its Counsel
Date: 2/24/16

Utah Division of Oil, Gas and
Mining

By [Signature]
Its counsel
Date: 2/25/16

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of March, 2016, I caused a true and correct copy of the foregoing **ORDER DISMISSING THE BANK OF THE WEST WITH PREJUDICE** for Docket No. 2014-030, Cause No. 264-04, to be mailed by Email or via First Class Mail, with postage prepaid, to the following:

Steven F. Alder
Assistant Attorney General
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
[Via Email]

Genesis Petroleum Us Inc
C/O Hydrotech Energy LLC
(Registered Agent)
8675 S Sandy Pkwy Ste 111
Sandy UT 84070-6426
[Address Updated 7/23/2014]

La Vonne Garrison
Utah School And Institutional Trust
Lands Administration
675 E 500 South Suite 500
Salt Lake City UT 84102

Michael S. Johnson
Assistant Attorney General
Utah Board of Oil, Gas & Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
[Via Email]

Marty Banks
Counsel for Bank of The West
201 South Main Street Ste 1100
Salt Lake City UT 84111